

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.24783 of 2021 (O&M)

Date of Decision:18.01.2022

Manoj Panwar

.....Petitioner

Versus

Union of India and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Sajjan Singh, Advocate
for the petitioner.

None for respondent no.1.

Mr. Nitin Kaushal, Advocate
for respondent no.2-AICTE.

Mr. Harish Nain, AAG., Haryana
for respondent no.3.

Mr. Chanakya Pandit, Advocate
for respondents no.4 and 5.

LISA GILL, J(Oral).

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

This writ petition has been filed for quashing of letter/order dated 20.09.2021, Annexure P-21, whereby a 'no objection certificate' has been declined to the petitioner, who had sought to apply for the post of Associate Professor at Netaji Subhash University of Technology, NCT of Delhi.

The petitioner, it is submitted was serving the respondent-University as Assistant Professor since 26.08.2010 in the Department of Architecture. He submitted his application dated 24.10.2013 for pursuing his Ph.D under Quality Improvement Program (QIP) under All India Council for

Technical Education. Requisite permission was granted by the respondent-University on 15.11.2013. The certificate and forwarding note by respondent no.5, was attached with the permission letter. It is submitted that petitioner submitted his application for leave for three years on 09.02.2015 along with bond dated 02.02.2015, Annexures P-3 and P-4, respectively. It is specifically mentioned in bond dated 02.02.2015 that the petitioner would serve the University for the period of three years upon completion of his study. Requisite permissions were afforded to the petitioner for pursuing his Ph.D. The petitioner, it is submitted served the University for the period of three years as per his bond and he thereafter applied for 'no objection certificate' for the post of Associate Professor at Netaji Subhash University of Technology (Govt. of NCT of Delhi). As the same was declined, present writ petition has been filed. In the meanwhile, 'no objection certificate' dated 09.12.2021 has been issued to the petitioner, which reads as under:-

“Certified that Dr. Manoj Panwar joined on 26.08.2010 as Assistant Professor in the Department of Architecture of this University in the pay scale of Rs.15,600- 39100 + 6000 AGP. Presently, he is working in the Academic Level-12 as per revised 7th Central Pay Commission. There is no charge sheet or vigilance case is either pending or contemplated against him till date.

This University has no objection if he is selected to the Post of Associate Professor in Netaji Subhas University of Technology, New Delhi against the recruitment notice no. NSUT/FACULTY/2021/03. He will be relieved after the fulfillment of conditions of surety bond and letter No. DCRUST/FA-II/7002 dated 15.05.2015.”

Learned counsel for respondents no.4 and 5, on instructions from Sh. Dinesh Dahiya, Personal Assistant to Vice Chancellor, does not deny that the petitioner has fulfilled the condition of surety bond dated

02.02.2015 and letter dated 15.05.2015, Annexures P-4 and P-5, respectively.

Keeping in view the facts and circumstances as above, this writ petition is rendered infructuous and is disposed of accordingly.

18.01.2022
s.khan

[LISA GILL]
Judge

Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No.